

DRAFT
**MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N.C.**

REGULAR MEETING:

15 MARCH 2005

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips and Donald R. Vaughan. Absent: Bellamy-Small, arriving late in the meeting. Also present were Ed Kitchen City Manager; Terry Wood, Chief Deputy City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The City Manager recognized Josephine Valencia, employee with the Environmental Services Department, who served as courier for the meeting.

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The Mayor outlined Council procedure for conduct of the meeting.

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City Manager Kitchen informed Council that Juanita Cooper, City Clerk, had received the highest honor awarded by the International Institute of Municipal Clerks (IIMC) professional association, which was the title of Certified Master Municipal Clerk. He read excerpts of a letter from the IIMC stating that Ms. Cooper was one of only 361 out of 10,000 municipal clerks world wide to receive this prestigious designation; she had demonstrated proficiency and a personal commitment to life-long learning and mentoring and had completed numerous programs and workshops. Members of Council joined the City Manager in expressing appreciation and congratulations to Ms. Cooper for her excellent work and outstanding achievement.

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At the request of Mayor Holliday, Melvin "Skip" Alston, Guilford County Commissioner, residing at 205 West Vandalia Road, presented information and shared his opinions with regard to recent media coverage of his past involvement with St. James II Homes and Greensboro Housing and Community Development Department staff. Council thanked Commissioner Alston for providing information to address public misconceptions surrounding the City's and Commissioner Alston's role in this Housing project. After Councilmember Burroughs-White shared her opinion that systemic problems with racism exist in the community, she challenged citizens to bring specific incidences to Council's attention when they were aware of problems. The Commissioner thanked the Council for their support of the Mosaic Project and encouraged continuing efforts to address related issues.

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Mayor Holliday recognized Carolyn Coleman, Guilford County Commissioner, who was also in attendance at the meeting.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits located east of Battleground Avenue and north of Horse Pen Creek Road—40.54 acres and so that these matters could be discussed together, the Mayor introduced an ordinance establishing original zoning

classification from County Zoning RS-40 residential Single Family and rezoning from City Zoning RS-20 Residential Single Family, RS-12 Residential Single Family, Conditional District—RM-5 Residential Multifamily, General Office Moderate Intensity, Highway Business and Conditional District—General Business to City Zoning Conditional District-Planned Unit Development for property located on the north side of Old Battleground Road between US 220 North (Battleground Avenue) and Michaux Road/White Horse Drive. He advised that these matters were continued from the March 1, 2005 City Council meeting.

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Councilmember Phillips moved that Councilmember Bellamy-Small be excused from attendance at this meeting. The motion was seconded by Councilmember Gatten and unanimously adopted by voice vote of Council.

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Councilmember Bellamy-Small entered the meeting at 6:27 p.m.

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After Councilmember Perkins requested he be excused from voting due to financial conflict of interest, Councilmember Johnson moved to excuse Councilmember Perkins from voting on these two matters due to financial conflict of interest. The motion was seconded by Councilmember Gatten and unanimously adopted by voice vote of Council.

Councilmember Perkins left the Chamber at 6:30 p.m.

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During the staff presentation, Richard “Dick” Hails, Planning Department Director, summarized the request and presented a land use map and slides to describe the subject property and surrounding area. After stating that he would not read into the record the lengthy list of conditions attached to the proposed zoning ordinance, Mr. Hails noted highlights from the first 10 of 24 conditions attached to the proposal that would allow mixed use zoning or a variety of improvements to conform with the Greensboro Connections 2025 Comprehensive Plan. He advised that conditions numbered 11-24 addressed transportation related improvements. Mr. Hails stated the Zoning Commission had recommended 8-0 in favor of the proposed rezoning and noted that one person had spoken in opposition at that hearing.

The following speakers spoke in favor of the proposed rezoning:

Henry Isaacson, attorney with offices located at 101 West Friendly Avenue, stated the proposal met land use plans and was in conformity with the Generalized Future Land Use Map under the Greensboro Connections 2025 Comprehensive Land Use Plan. He advised that the developer had submitted a proposal approximately one year earlier which had been revised for improvement prior to resubmission; he reported on the applicant’s efforts to meet with neighbors to address their concerns. Mr. Isaacson reviewed detailed information he distributed to Council with regard to the proposed development of the 119 acre land parcel to illustrate design concepts for walkways and other common areas, a grocery store and town homes and spoke to plans for traffic improvements.

Chief Deputy Attorney Terry Wood advised that the information submitted by Mr. Isaacson was for illustrative purposes and stated that the conditions attached to the proposed rezoning ordinance were legally binding.

Rick Vaughan, Chief Executive Officer of Granite Development, with offices located in Mount Airy, North Carolina, spoke to his involvement with the proposed project; he noted efforts to address neighborhood concerns and stated that, in his opinion, uniform development concepts would create a village that would enhance the City.

Roy Carrol, stating that he worked with Granite Development, detailed planned features of the proposed development, spoke to meetings with first neighborhood residents and later with a traffic engineer to seek ways to implement solutions to residents’ concerns.

Debbie McGee, residing at 3505 Willowbrook Court, spoke to the proximity of her residence to the proposed development and shared her opinion that the proposed development would benefit the area.

The following speakers spoke in opposition to the proposed rezoning:

Teresa Long, residing at 3421 Derby Road, stated she supported the overall development, but opposed the condominium complex that would be built behind her home. She expressed concern with regard to potential negative impacts of noise due to proximity and risk from street traffic to safety of children.

At the request of Council, Jim Westmoreland, Transportation Department Director, discussed specific information from the traffic review facilitated by the Transportation Department and advised that it was staff's opinion that the street could adequately handle the additional traffic from the proposed rezoning.

After Ms. Wood stated she preferred construction of single family homes on the subject property, the Mayor advised that single family homes typically generated more traffic than condominiums.

Ted Eaves, residing at 3413 Derbywood Drive, expressed his opinions with respect to the potential negative impacts of traffic in the area if the proposed development were approved. After he offered additional personal opinions with respect to potential negative impact of the development on the watershed and on Greensboro's ranking for urban sprawl, Mr. Eaves requested Council to deny the proposal.

Councilmember Phillips discussed why he believed that the results of community rankings for urban sprawl were subjective.

During discussion with regard to current cell tower regulations, Mr. Hails spoke to regulations adopted in 1998, explained that cell towers in the vicinity were legally non-conforming due to their precedence of the newer regulations, and noted that current regulations encouraged aesthetic enhancements of cell towers.

Alan Hedrick, residing at 4234 Harvard Avenue, stated he represented Sierra Club and offered to copy a Sierra Club sprawl report for Council. He shared his personal opinions with regard to numerous negative impacts the proposal could have on the City and requested Council to deny the proposed rezoning.

During additional discussion, Councilmember Phillips noted potential positive aspects of the proposed development in terms of "walkability" for residents. He stated that, in his opinion, the proposal would create higher density development and provide necessary services to residents. The Mayor noted that the beneficial impact of the proposal would require less driving for the residents.

The following speakers spoke in rebuttal in favor of the proposed rezoning.

Mr. Isaacson spoke to input the developer received from Ms. Long and subsequent modifications made to development plans to address her concerns of proximity of buildings to her yard. He stated the developer's consulting traffic engineer was available to address traffic related questions.

In response to Councilmember Johnson, Michael Fioco, employee of Civil Consultants, explained information about the location of the subject property in the Greensboro watershed critical area and advised that, in his professional opinion, the proposed conditions attached to the zoning proposal exceeded the requirements of Greensboro's development ordinance.

Mr. Westmoreland stated that the traffic improvements established in the conditions of the rezoning proposal adequately met the needs of the proposed development.

The following speakers spoke in rebuttal in opposition to the proposed rezoning.

Mr. Eaves reiterated points made earlier in the meeting and stated that in his opinion, there was no need for

development in this part of the City.

Councilmember Bellamy-Small moved that the public hearing for these zoning and annexation ordinances be closed. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

During Mr. Hail's presentation of the staff recommendation, he emphasized relevant points of the proposal with respect to the Generalized Future Land Use Map and other aspects of the Connections 2025 Greensboro Comprehensive Plan and advised that staff recommended the rezoning.

Councilmember Johnson moved adoption of the ordinance annexing territory to the corporate limits located east of Battleground Avenue and north of Horse Pen Creek Road- 40.54 acres. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Phillips and Vaughan. Noes: None, with Councilmember Perkins abstaining due to conflict of interest.

05-52 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED EAST OF BATTLEGROUND AVENUE AND NORTH OF HORSEPEN CREEK ROAD – 40.54 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an axle found, the southeast corner of Brandt Lake Farms subdivision, Section III, as recorded in Plat Book 91, Page 85 in the Office of the Register of Deeds of Guilford County, said axle lying also in the west line of Forest Manor Farm North subdivision, Section II, as recorded in Plat Book 96, Page 114 in the Office of the Register of Deeds; thence with the west line of said Forest Manor Farm North S 00° 46' 33" E 305.03 feet to a point at or near the centerline of a creek, said creek forming existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the centerline of said creek, following its various meanderings, S 63° 02' 37" W 19.39 feet to the intersection of said creek with a branch flowing from the southeast; thence with the centerline of said branch, following its various meanderings, the following 17 courses and distances: 1) S 59° 32' 54" E 16.85 feet to a point; 2) S 11° 50' 32" W 104.06 feet to a point; 3) N 76° 27' 03" W 30.98 feet to a point; 4) S 86° 13' 29" W 21.09 feet to a point; 5) N 01° 34' 54" W 13.82 feet to a point; 6) N 73° 13' 14" W 12.32 feet to a point; 7) S 63° 22' 35" W 41.23 feet to a point; 8) S 28° 01' 38" W 19.13 feet to a point; 9) S 51° 52' 11" W 42.64 feet to a point; 10) S 05° 14' 09" E 24.44 feet to a point; 11) S 23° 16' 22" E 38.17 feet to a point; 12) S 14° 33' 14" W 40.87 feet to a point; 13) S 23° 39' 54" W 55.09 feet to a point; 14) S 23° 09' 08" E 24.69 feet to a point; 15) S 28° 47' 52" W 16.81 feet to a point; 16) S 03° 16' 47" W 43.91 feet to a point; and 17) S 13° 34' 56" E 22.92 feet to a point in the north line of property of Carol C. Owens, as described in Deed Book 4304, Page 1901 in the Office of the Register of Deeds; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with said north line S 81° 46' 33" W 215.86 feet to an iron pipe found on the north side of a pond dam, the northwest corner of Owens; thence with the west line of Owens S 07° 04' 16" E 333.46 feet to a point lying within a pond and S 00° 01' 45" W 197.34 feet to a point on the east bank of said pond, said point lying in the east line of property of Marlene N. Cockerham, as described in Deed Book 4231, Page 574 in the Office of the Register of Deeds, said point being in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the east bank of said pond, following its various meanderings, the following three courses and distances: 1) S 16° 03' 21" W 23.41 feet to a point; 2) S 38° 06' 24" W 21.34 feet to a point; and 3) S 77° 29' 36" W 32.70 feet to the centerline of a branch flowing into said pond from the southwest; thence with said branch, following its various meanderings, the following 19 courses and distances: 1) S 31° 44' 53" W 30.48 feet to a point, 2) S 16° 14' 32" W 87.49 feet to a point, 3) S 87° 10' 42" E 24.01 feet to a point, 4) S 20° 25' 40" E 45.44 feet to a point, 5) S 16° 22' 45" W 24.70 feet to a point in the north line of property of Glenn H. and Maggie B. Wadford, as described in Deed Book 1295, Page 381 in the Office of the Register of Deeds, 6) S 16° 22' 45" W 68.75 feet to a point, 7) N 66° 15' 43" W 50.38 feet to a point, 8) S 16° 38' 33" W 89.33 feet to a point; 9) S 04° 24' 07" E 43.94 feet to a point, 10) S 23° 59' 39" W 35.72 feet to a point, 11) S 10° 19' 11" W 91.06 feet to a point in the east line of property of Margaret Jessup et. al. as described in Deed Book 3523, Page 239 in the Office of the Register of Deeds, 12) S 10° 19' 11" W 87.57 feet to a point, 13) S 05° 40' 29" E 107.01 feet to a point, 14) S 09° 44' 29" W 76.38 feet to a point, 15) S 52° 40' 35" W 36.71 feet to a point, 16) S 60° 31' 19" W 23.34 feet to

a point, 17) S 89° 51' 26" W 43.73 feet to a point, 18) S 63° 56' 28" W 94.58 feet to a point, and 19) S 72° 03' 43" W approximately 60 feet to a point in the east right-of-way line of Battleground Avenue (U.S. Highway 220); THENCE DEPARTING FROM THE EXISTING CITY LIMITS along said right-of-way line approximately 190 feet to an iron pipe found in said right-of-way line, the southeast corner of land formerly owned by Adam H. Scott, as described in Deed Book 265, Page 682 in the Office of the Register of Deeds; thence with said right-of-way line N 17° 15' 19" W 521.91 feet to an iron pipe found, the southwest corner of property owned, now or formerly, by Charter Development Company, LLC, as described in Deed Book 4856, Page 1071 in the Office of the Register of Deeds; thence continuing with said right-of-way line N 17° 25' 02" W 333.48 feet to an iron pipe found in said right-of-way line; thence continuing with said right-of-way line in a northerly direction approximately 1,275 feet to a point; thence leaving said right-of-way with the south line of the Brandt Lake Farms subdivision, Sections II and III, as recorded in Plat Book 88, Page 94 and Plat Book 91, Page 85, in the Office of the Register of Deeds, S 87° 58' 20" E 1,492.43 feet to THE POINT AND PLACE OF BEGINNING, containing 40.54 acres more or less.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after May 31, 2005, the liability for municipal taxes for the 2004-2005 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2005. Municipal ad valorem taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2005.

(Signed) Yvonne J. Johnson

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Councilmember Carmany stated she believed that the proposed type of development supported the Comprehensive Plan and was included in the strategy for early action compact air quality and ozone attainment Council had committed to follow.

Councilmember Burroughs-White moved adoption of the ordinance establishing original zoning classification for property located on the north side of Old Battleground Road between US 220 North (Battleground Avenue) and Michaux Road/ White Horse Drive. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Phillips and Vaughan. Noes: None, with Councilmember Perkins abstaining due to conflict of interest.

05-53 AMENDING OFFICIAL ZONING MAP

NORTH SIDE OF OLD BATTLEGROUND ROAD BETWEEN US 220 NORTH (BATTLEGROUND AVENUE) AND MICHAUX ROAD/WHITE HORSE DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-40

Residential Single Family and rezoning from City Zoning RS-20 Residential Single Family, RS-12 Residential Single Family, Conditional District – RM-5 Residential Multifamily, General Office Moderate Intensity, Conditional District – General Business and Highway Business to City Zoning Conditional District – Planned Unit Development - Mixed (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at an axle found, the southeast corner of Brandt Lake Farms subdivision, Section III, as recorded in Plat Book 91, Page 85 in the Office of the Register of Deeds of Guilford County, said axle lying also in the west line of Forest Manor Farm North subdivision, Section II, as recorded in Plat Book 96, Page 114 in the Office of the Register of Deeds; thence with the west line of said Forest Manor Farm North S 00° 46' 33" BEGINNING at an axle found, the southeast corner of Brandt Lake Farms subdivision, Section III, as recorded in Plat Book 91, Page 85 in the Office of the Register of Deeds of Guilford County, said axle lying also in the west line of Forest Manor Farm North subdivision, Section II, as recorded in Plat Book 96, Page 114 in the Office of the Register of Deeds; thence with the west line of said Forest Manor Farm North S 00° 46' 33" E 532.00 feet to a point; thence thence with the western line of said Highland Meadows subdivision South 02°59' 14" West a distance of 158.96 feet to an iron pipe found, the northeastern corner of property owned, now or formerly, by Carol C. Owens as described in Deed Book 4304 Page 1901, said Guilford County Registry; thence with the northern and western line of Owens the following four (4) courses and distances: 1) South 81°46' 33" West a distance of 389.87 feet to an iron pipe found; 2) South 07°04' 16" East a distance of 333.46 feet to a computed point lying within the bounds of a pond; 3) South 00°01' 45" West a distance of 232.34 feet to an iron pipe found on the southeastern shore of said pond; and 4) South 02°06' 18" East a distance of 192.15 feet to an iron pipe found lying in the northerly line of property owned, now or formerly, by Glenn H. and Maggie B. Wadford as described in Deed Book 1295 Page 381 of said Guilford County Registry; thence with said northerly line of Wadford and the southerly line of Owens South 87°13' 59" East a distance of 296.63 feet to an iron pipe found, the southwesterly corner of an 18 foot private road as described in Deed Book 5084 Page 15 of said Guilford County Registry; thence with the southerly line of said private drive South 86°06' 55" East a distance of 352.00 feet (passing an iron pipe found in the westerly right-of-way line of said Michaux Road at a distance of 323.17 feet) to a computed point, the former centerline of an unnamed road as shown in Plat Book 7 Page 95 of said Guilford County Registry; thence with said former centerline South 06°22' 55" East a distance of 422.20 feet to a computed point, the former centerline of Michaux Road as shown in Plat Book 7 Page 95 of said Guilford County Registry; thence with said former centerline of Michaux Road the following two (2) courses and distances: 1) South 33°27' 05" West a distance of 60.06 feet to a computed point; and 2) South 06°57' 05" West a distance of 154.41 feet to a computed point, the southeastern corner of Lot 22 of said James Dennis Farms Subdivision; thence South 88°07' 49" West a distance of 14.29 feet to an iron rebar, said rebar lying in the westerly right-of-way line of Michaux Road [SR 2338]; thence with said right-of-way line along a curve concave to the east a chord bearing of South 03°02' 32" West a chord distance of 76.10 feet, said curve having a radius of 1238.84 feet and an arc length of 76.12 feet to an iron rebar found, a corner of Lot 1 of Plat Book 143 Page 72, said Guilford County Registry; thence with said right-of-way along a curve concave to the east a chord bearing of South 00°42' 17" West a chord distance of 24.96 feet, said curve having a radius of 1238.84 feet and an arc length of 24.96 feet to an iron rebar found, the northeasterly corner of property owned, now or formerly, by Walter I. Jessup and wife, Margaret P. Jessup as described in deed Book 2725 Page 823, said Guilford County Registry; thence with the northerly line of Jessup South 88°31' 25" West a distance of 162.67 feet to an iron pipe found, the northwesterly corner of Jessup; thence with the easterly line of Jessup South 02 deg 03' 28" East a distance of 100.00 feet to an iron pipe found; thence with the southerly line of Jessup North 88°31' 25" East a distance of 164.06 feet to an iron pipe found in the westerly right-of-way of Michaux Road [SR 2338]; thence North 88°31' 25" East a distance of 25.95 feet to a computed point at the former centerline of Michaux Road as shown in Plat Book 7 Page 95, said Guilford County Registry; thence with said former centerline of Michaux Road the following two (2) courses and distances: 1) South 03°42' 31" East a distance of 21.68 feet to a computed point; and 2) South 11°12' 31" East a distance of 93.12 feet to a computed point; thence North 80°04' 17" East a distance of 28.10 feet to an iron pipe found in the easterly right-of-way line of said Michaux Road, the southwestern corner of the White Horse Farms Subdivision, Phase VI as shown in Plat Book 117 Page 63, said Guilford County Registry; thence with the southerly line of Phase VI of said White Horse Farms Subdivision North 80°04' 17" East a distance of 441.00 feet (passing an iron pipe found at a distance of 2.29 feet) to an iron pipe found, the southwesterly corner of Phase IV of said White Horse Farms Subdivision as recorded in Plat Book 110 Page 67, said Guilford County Registry; thence with the line of phase IV of said White Horse Farms Subdivision the following two courses and distances: 1) South 52°41' 51" East a distance of 426.43 feet to a concrete monument found; and 2) South 63°40' 35" East a distance of 580.64 feet to an iron pipe found in the westerly line of Phase II of said White Horse Farms Subdivision as recorded in Plat Book 109 Page 8 of said

Guilford County Registry; thence with the line of Section II and Section I (as recorded in Plat Book 108 Page 77) of said White Horse Farms Subdivision South 19°18' 55" West a distance of 807.97 feet to an iron pipe found in the northerly right-of-way line of Old Battleground Road [SR 2340]; thence with said northerly right-of-way line North 69°14' 00" West a distance of 903.37 feet to an iron pipe found at the intersection of said northerly right-of-way line of Old Battleground Road and said easterly right-of-way line of Michaux Road; thence North 69°14' 00" West a distance of 63.90 feet to a computed point in the present centerline of Michaux Road, the easterly line of property owned, now or formerly by Granite/Horsepen Creek, LLC as described in Deed Book 6128 Page 2588, said Guilford County Registry; thence with said centerline South 10°05' 03" East a distance of 24.23 feet to a nail found in asphalt within the right-of-way of Old Battleground Road [SR 2340]; running thence more or less along the northern edge of pavement of Old Battleground Road North 69°15' 54" West a distance of 511.38 feet to a computed point; thence continuing more or less along said northern edge of pavement of Old Battleground Road North 68°29' 54" West a distance of 146.08 feet to a computed point; thence North 81°05' 01" West a distance of 207.14 feet to an iron pipe found at the intersection of the northerly right-of-way line of Horsepen Creek Road [SR 2182] and the westerly right-of-way line of said Old Battleground Road, the southeasterly corner of that property owned, now or formerly, by K & S Brandt Crossing as described in Deed Book 3687 Page 1797 of said Guilford County Registry; thence with said northerly right-of-way line of Horsepen Creek Road North 89°59' 09" West a distance of 131.23 feet to an iron pipe found at the intersection of said northerly right-of-way line of Horsepen Creek Road and the easterly right-of-way line of Battleground Avenue [U.S. Highway 220]; thence with said easterly right-of-way line of Battleground Avenue the following two (2) courses and distances: 1) North 37°50' 26" West a distance of 75.55 feet to an iron pipe found; and 2) North 18°01' 42" West a distance of 212.09 feet to an iron pipe found; thence North 16°43' 25" West a distance of 288.77 feet to an iron pipe found at the intersection of the easterly right-of-way of said Old Battleground Road and the easterly right-of-way of said Battleground Avenue [U.S. Highway 220]; thence along a line lying within the right-of-way of said Battleground Avenue the following seven (7) courses and distances: 1) North 35°30' 49" West a distance of 11.24 feet to a computed point, the southwestern corner of Lot 4, said James Dennis Farm subdivision; 2) North 30°17' 13" West a distance of 99.92 feet to a computed point; 3) North 24°02' 13" West a distance of 100.00 feet to a computed point; 4) North 17°47' 13" West a distance of 100.00 feet to a computed point; 5) North 10°47' 13" West a distance of 98.00 feet to a computed point, the northwestern corner of Lot 1, said James Dennis Farm subdivision; 6) North 86°27' 30" West a distance of 13.51 feet to a computed point; 7) North 05°27' 03" West a distance of 197.17 feet to an iron pipe found in the easterly right-of-way line of Battleground Avenue, the southeastern corner of a parcel of land formerly owned by Adam H. Scott as described in Deed Book 265 Page 682; thence with said easterly right-of-way line the following two (2) courses and distances: 1) North 17°15' 19" West a distance of 521.91 feet to an iron pipe found, the southwestern corner of property owned, now or formerly by Charter Development Company, LLC, as described in Deed Book 4856 Page 1071 Tract 2, said Guilford County Registry; and 2) North 17°25' 02" West a distance of 333.48 feet to an iron pipe found in said eastern right-of-way line of Battleground Avenue; thence continuing with said right-of-way line in a northerly direction approximately 1,275 feet to a point; thence leaving said right-of-way with the south line of the Brandt Lake Farms subdivision, Sections II and III, as recorded in Plat Book 88, Page 94 and Plat Book 91, Page 85, in the Office of the Register of Deeds, S 87° 58' 20" E 1,492.43 feet to the point and place of BEGINNING.

Section 2. That the original zoning and rezoning to Conditional District – Planned Unit Development - Mixed is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: All uses allowed in a CD-PDM excluding light industrial uses.
- 2) This shall be a unified development with a common scheme for signage, building materials, lighting, landscaping, hardscaping (e.g. pavers, textured asphalt and/or concrete and raised crosswalks) and exterior furnishings.
- 3) All perimeter lighting shall be directed toward the interior of the subject development.
- 4) Developer will provide a pedestrian/vehicular access between the commercial section and the two residential townhouse sections.
- 5) Developer will create and provide a centralized pedestrian plaza area to link the major commercial area and residential sections on the west side of Michaux Road.
- 6) Developer will create a pedestrian/vehicular access to the commercial section on Michaux Road to be aligned with the access serving the residential section east of Michaux Road.
- 7) The maximum number of dwelling units within the area classified as Low Residential, as shown on the Generalized Future Land Use Map, shall not exceed 6.0.

- 8) With respect to the commercial buildings fronting on Old Battleground Road, at least 50 percent of the buildings shall be located without intervening parking between the right-of-way line of Old Battleground Road and the buildings fronting Old Battleground Road. With respect to the commercial buildings fronting on US Highway 220 (Battleground Avenue), no more than a double loaded parking bay shall be provided between the buildings and the US Highway 220 right-of-way.
- 9) In the commercial section, Developer will use variation, articulation, fenestration and signature architectural elements on building facades to help create distinct character and human scale to provide the appearance of small neighborhood serving commercial uses.
- 10) In the commercial area of the development only, Developer will lessen the appearance of large expanses of parking by providing landscaping in parking lot areas and designated pathways for pedestrians in amounts exceeding standard ordinance requirements.
- 11) Developer shall construct an additional northbound through lane on Battleground Avenue (US Highway 220) from the intersection of the Old Battleground Road and Horse Pen Creek Road to the northern limits of the commercial component of the development.
- 12) Developer shall construct an additional westbound lane along the north side of Old Battleground Road from Michaux Road to Battleground Avenue. This lane will serve as a westbound right turn lane into the development and at the Battleground Avenue intersection.
- 13) Developer shall close the current driveway located on Old Battleground Road approximately 300 feet east of Battleground Avenue.
- 14) At Site Access No. 1 on Battleground Avenue, Developer shall construct separate westbound left and right turn lanes exiting the site, a southbound left turn lane into the site, and a northbound right turn lane into the site.
- 15) At Site Access No. 2 on Battleground Avenue, if installed, Developer shall construct a westbound right turn lane exiting the site and a northbound right turn lane into the site.
- 16) At Site Access No. 3 on Battleground Avenue, Developer shall construct a channelized southbound left turn lane into the site restricting the westbound left movement exiting the site, a single right turn lane exiting the site, and a northbound right turn lane into the site.
- 17) At Site Access No. 4 on Battleground Avenue, if installed, Developer shall construct a westbound right turn lane exiting the site and a northbound right turn lane into the site.
- 18) There shall be a maximum of one point of access on Old Battleground Road. Separate southbound left and right turn lanes exiting the site, a westbound right turn lane into the site and an eastbound left turn lane into the site shall be constructed by the Developer at Site Access No. 5 (as shown in the Traffic Impact Study).
- 19) Developer shall construct a full movement access drive on Michaux Road at Site Access No. 6 to serve the new townhomes east of Michaux Road.
- 20) Developer shall construct a full movement access drive on Michaux Road at Site Access No. 7 to serve the shopping center. This access shall be designed to prohibit tractor trailers from having direct access to the rear service area, thereby discouraging trucks from entering and exiting the site at this access.
- 21) Developer shall construct a full movement access drive on Michaux Road at Site Access No. 8 to serve the new townhomes west of Michaux Road.
- 22) Developer shall construct an eastbound left turn lane on Old Battleground Road at its intersection with Michaux Road.
- 23) Developer shall construct a southbound left turn lane and a southbound right turn lane on Michaux Road at its intersection with Old Battleground Road.
- 24) Developer shall provide a 30 foot landscape buffer along the western side of Michaux Road from Tax Parcel 3-173-835-42 southwardly to the shopping center driveway on Michaux Road.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Claudette Burroughs-White

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Councilmember Perkins returned to the Chamber at 7:39 p.m.

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing Bluford Street from Laurel Street eastward to Obermeyer Street, a distance of approximately 315 feet.

Mayor Holliday asked if anyone wished to be heard. No one present wished to speak.

Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

53-05 RESOLUTION CLOSING BLUFORD STREET, FROM LAUREL STREET TO OBERMEYER STREET, A DISTANCE OF APPROXIMATELY 315 FEET

WHEREAS, the owner of all of the property abutting both sides of Bluford Street, from Laurel Street eastward to Obermeyer Street has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, March 15th, 2005 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.
2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of the reasonable means of ingress or egress to his or its property.
3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

BLUFORD STREET, FROM LAUREL STREET EASTWARD TO OBERMEYER STREET, A DISTANCE OF APPROXIMATELY 315 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Donald R. Vaughan

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Moving to the consent agenda, the Mayor advised that because a speaker wished to address Agenda Item 13, that item would be removed from the Consent Agenda. Councilmember Vaughan thereupon moved adoption of the consent agenda as amended. The motion was seconded by Councilmember Carmany; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins,

Phillips and Vaughan. Noes: None.

54-05 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 5, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 4054 AND 4056 DOVER PARK ROAD IN GRANDOVER – 2.18 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 5th day of April, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 4054 AND 4056 DOVER PARK ROAD IN GRANDOVER – 2.18 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

Beginning at a point in the existing Greensboro satellite city limits, said point being the westernmost corner of Lot 1 of Grandover, Section 6, Phase 1, as recorded at Plat Book 158, Page 116 in the Office of the Register of Deeds of Guilford County; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS along the west line of said Lot 1 N 47° 36' 43" E 112.89 feet to a point; thence along the west lines of said Lot 1 and Lot 2 on said plat N 63° 10' 49" E 129.69 feet to a point in the west line of said Lot 2; thence along said west line and the west line of Area to be Combined with Golf Course N 7° 57' 16" E 190.69 feet to the northwest corner of Area to be Combined with Golf Course; thence along the north line of Area to be Combined with Golf Course S 64° 43' 54" E 182.64 feet to a point; thence continuing along said north line S 84° 10' 37" E 106.62 feet to a point in the west right-of-way line of Dover Park Road; thence along said right-of-way line S 44° 12' 46" W 491.94 feet to a corner right-of-way radius; thence along the corner radius, a curve to the right having a radius of 20.00 feet and a chord bearing and distance of S 86° 24' 01" W 26.86 feet to a point on the north right-of-way line of Postbridge Drive; thence along said right-of-way line N 51° 24' 44" W 197.81 feet to a point; thence continuing with said right-of-way line with a curve to the left having a radius of 665.00 feet and a chord bearing and distance of N 51° 52' 40" W 5.93 feet to the Point an Place of Beginning, containing 2.18 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2005, the liability for municipal taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 5, 2005 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office

Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 26, 2005.

(Signed) Donald R. Vaughan

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55-05 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 5, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 157 FLEMINGFIELD ROAD – 44.33 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 5th day of April, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 157 FLEMING ROAD – 44.33 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of February 28, 2005), said point being in the east line of Lot 1 of K-mart Center #8288, as recorded at Plat Book 150, Page 115 in the Office of the Register of Deeds of Guilford County, said point being the southwest corner of Tract VII of the Jack Fleming Estate, as recorded at Deed Book 6107, Page 637 in the Office of the Register of Deeds; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the south line of the Jack Fleming Estate S 86° 36' 04" E 1,564.93 feet to a point on the west right-of-way line of Flemingfield Road, the same being the southeast corner of the Jack Fleming Estate; thence with said right-of-way line along a curve to the left with a radius of 1,046.45 feet, a chord bearing a distance of S 85° 03' 32" E 90.01 feet to an existing iron pin; thence continuing with said right-of-way line S 20° 53' 12" E 502.15 feet to the northeast corner of Donald G. Pruitt, as recorded in Deed Book 4746, Page 130 (also see Deed Book 4745, Page 437); thence with the north line of Pruitt, S 70° 13' 10" W 240.00 feet to the northwest corner of Pruitt; thence continuing with the west line of Pruitt S 11° 50' 40" E 528.07 feet to point in the north line of The Lee Companies, LLC, as recorded in Deed Book 5708, Page 153; thence with the north line of The Lee Companies N 84° 18' 48" W 601.22 feet to the northwest corner for The Lee Companies, LLC and the northeast corner of Walter L. Bigelow and Mary L. Bigelow, as recorded in Deed Book 2067, Page 579; thence with Bigelow's north line N 85° 11' 02" W 843.11 feet to the northwest corner of Bigelow and the northeast corner of property now or formerly owned by Fannie Taylor, as described in Deed Book 262, Page 275; thence with the north line of Taylor N 85° 11' 02" W 269.60 feet to Taylor's northwest corner on the east line of K-mart Center, a point on the existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the line of K-mart N 2° 12' 04" E 1,135.82 feet to the point of beginning, and containing 44.33 acres more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2005, the liability for municipal taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 5, 2005 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 26, 2005.

(Signed) Donald R. Vaughan

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56-05 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 5, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT FLEMING ROAD AND CHANCE ROAD – 63.76 ACRES

WHEREAS, the owners of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 5th day of April, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT FLEMING ROAD AND CHANCE ROAD – 63.76 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing city limits (as of February 28, 2005) of the City of Greensboro, said point being in the southwestern right-of-way line of Fleming Road; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a northwesterly direction along the western right-of-way line of Fleming Road the following 4 courses and distances: 1) N 46° 59' 28" W 141.55 feet to a point, 2) N 50° 08' 35" W 95.56 feet to a point, 3) N 57° 13' 33" W 96.91 feet to a point, and (4) N 63° 07' 40" W 29.52 feet to a point; thence crossing Fleming Road N 26° 52' 20" E 58.38 feet to a point on its northeast margin; thence along said northeast margin N 63° 07' 40" W 63.35 feet to a point at the recorded southeast property corner of Thelma S. Burritt, as recorded at Deed Book 3856, Page 684 in the Office of the Register of Deeds of Guilford County; thence along the east line of said Burritt the following 3 courses and distances: 1) N 12° 45' 30" W 471.01 feet to a point, 2) N 4° 26' 00" W 727.40 feet to a point, and 3) N 5° 08' 32" W 258.89 feet to a point at the recorded southwest corner of the North Carolina Department of Transportation (NCDOT), as recorded at Deed Book 4756, Page 1934 in the Office of the Register of Deeds; thence along the south line of the NCDOT S 82° 44' 00" E 200.00 feet to NCDOT's southeast corner; thence along the east line of the NCDOT N 4° 26' 00" W 260.00 feet to a point in the south property line of Guilford County, as recorded at Deed Book 2160, Page 17 in the Office of the Register of Deeds; thence along said south line S 82° 44' 00" E 68.40 feet to the southeast corner of said property of Guilford County; thence along the east line of Guilford County N 1° 15' 00" W 289.70 feet to a point in the south property line of Teddy W. and Ruth P. Jessup, as recorded at Deed Book 2899, Page 684 in the Office of the Register of Deeds; thence along the south line of Jessup S 82° 02' 00" E 975.40 feet to the southwest corner of Cap and Marie Q. Stanley, as recorded at Deed Book 2159, Page 453 in the Office of the Register of Deeds; thence along the south line of Stanley the following 3 courses and distances: 1) N 42° 58' 00" E 93.10 feet to a point, 2) S 59° 03' 00" E 89.10 feet to a point, and 3) S 45° 49' 00" E 115.50 feet to a point in the existing city limits, said point being the northwest corner of property dedicated to the City of Greensboro in Meadowbriar Subdivision, as recorded in Plat Book 95,

Pages 32-34 in the Office of the Register of Deeds; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a southerly direction with a stream approximately 1,940 feet to a point in the north line of Portrait Homes – McAllister Place, LLC, as recorded in Deed Book 6004, Page 1209 in the Office of the Register of Deeds; thence with the north line of Portrait Homes – McAllister Place, LLC S 77° 27' 00" W approximately 1,250 feet to the point and place of BEGINNING, and containing approximately 63.76 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2005, the liability for municipal taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 5, 2005 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 26, 2005.

(Signed) Donald R. Vaughan

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57-05 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 5, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS –LOCATED ON EAST LEE STREET AND NORTHEASTWARD AND SOUTHWESTWARD ALONG NEW I-85 – 596 ACRES

WHEREAS, the owners of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 5th day of April, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON EAST LEE STREET AND NORTHEASTWARD AND SOUTHWESTWARD ALONG NEW I-85 – 596 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the northern line of that property acquired and still held by the NCDOT in fee simple for the construction of the New Interstate 85 (hereinafter referred to as the NCDOT New I-85 property), said point being the southeast corner of the Dorothy E. Causey et al tract, as described in Deed Book 5697, Page 1126 in the Office of the Register of Deeds of Guilford County; thence with the east line of said Causey tract N 1° 34' 24" E

485.11 feet to the southwest corner of W. Robert Tilyard, Jr. and Martha B. Tilyard, as described in Deed Book 4618, Page 1495 in the Office of the Register of Deeds; thence with the south line of Tilyard S 89° 11' 46" E 363.59 feet to the southwest corner of Howard Jackson Welch, as described in Deed Book 4018, Page 345 in the Office of the Register of Deeds; thence with Welch's south line S 89° 11' 46" E 175 feet to Welch's southeast corner; thence with Welch's east line N 1° 58' 14" E 611 feet to a point; thence N 12° 10' 00" W 93.52 feet to the southwest corner of Joseph E. Moineau, as described in Deed Book 3460, Page 1531 in the Office of the Register of Deeds; thence with Moineau's south line S 71° 19' 00" E 259.78 feet to Moineau's southeast corner; thence with Moineau's east line N 1° 44' 01" E 250 feet to a point in the south right-of-way line of East Lee Street; thence with the south right-of-way line of East Lee Street the following 10 courses and distances: 1) S 65° 39' 00" E 350 feet to a point, 2) S 65° 39' 00" E 250 feet to a point, 3) S 65° 48' 16" E 347.46 feet to a point, 4) S 65° 39' 00" E 257.32 feet to a point, 5) S 75° 27' 00" E 113.68 feet to a point, 6) S 86° 08' 00" E 40.97 feet to a point, 7) N 87° 37' 00" E 105.89 feet to a point, 8) N 80° 24' 00" E 103.06 feet to a point, 9) N 76° 23' 51" E 98.39 feet to a point, and 10) N 76° 08' 51" E 60.52 feet to a common corner with the property of Bernard F. and Hazel B. Aydelette, as described in Deed Book 3275, Page 454 in the Office of the Register of Deeds; thence with Aydelette's west line S 20° 47' 06" E 435.59 feet to Aydelette's southwest corner; thence with Aydelette's south line N 67° 48' 27" E 291.38 feet to a common corner with Brian L. and Donna D. Welker, as described in Deed Book 4897, Page 1955 in the Office of the Register of Deeds; thence with Welker's west line S 11° 44' 43" E 325.22 feet to a point and S 53° 30' 06" W 42.93 feet to a point in the northern line of the NCDOT New I-85 property; thence in a northeasterly direction with the northwestern line of the NCDOT New I-85 property approximately 11,000 feet to a point in the Greensboro satellite city limits, said point being 30 feet north of the center of pavement of McConnell Road; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in an easterly direction with a line 30 feet north of and parallel to said centerline approximately 700 feet to its intersection with the eastern line of the NCDOT New I-85 property; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a southwesterly direction with the southeastern line of the NCDOT New I-85 property approximately 11,000 feet to a point in the center of Little Alamance Creek; thence in a southwesterly direction with the southeastern line of the NCDOT New I-85 property approximately 9,000 feet to a point in the centerline of Alamance Church Road; thence in a southwesterly direction with the southeastern line of the NCDOT New I-85 property approximately 6,000 feet to a point in the centerline of Wiley Lewis Road; thence in a westerly direction with the southern line of the NCDOT New I-85 property approximately 20,000 feet to a point in the center of a small stream that runs under New I-85 just east of its interchange with South Elm-Eugene Street; thence in a northerly direction with the center of said stream as it is piped under New I-85 approximately 400 feet to a point on the northern line of the NCDOT New I-85 property; thence in an easterly direction with the northern line of the NCDOT New I-85 property approximately 20,000 feet to a point in the centerline of Wiley Lewis Road; thence in a northeasterly direction with the northwestern line of the NCDOT New I-85 property approximately 5,000 feet to a point in the centerline of Alamance Church Road; thence in a northeasterly direction with the northwestern line of the NCDOT New I-85 property approximately 7,000 feet to the point and place of BEGINNING, and containing approximately 596 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2005, the liability for municipal taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 5, 2005 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 26, 2005.

(Signed) Donald R. Vaughan

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58-05 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2003-48 WITH JIMMY R. LYNCH & SON, INC. FOR THE BLEDSOE DRIVE SANITARY SEWER LIFT STATION IMPROVEMENTS

WHEREAS, Contract No. 2003-48 with Jimmy R. Lynch & Sons, Inc. provides for the Bledsoe Drive Sanitary Sewer Lift Station improvements;

WHEREAS, due to work required by NCDENR in order to meet regulations for Water Quality and Erosion Control, installation of the main beneath the creek was required, thereby necessitating a change order in the contract in the amount of \$35,385.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Jimmy R. Lynch and Sons, Inc. for the Bledsoe Drive Sanitary Sewer Lift Station Improvements is hereby authorized at a total cost of \$35,385.00, payment of said additional amount to be made from Account No. 511-7044-01.6017 Activity 04157.

(Signed) Donald R. Vaughan

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59-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF PEGGY WILLIAMS OAKLEY FOR THE SOUTH ELM-EUGENE STREET WIDENING PROJECT

WHEREAS, in connection with the South-Elm Eugene Street widening project, the property owned by Peggy Williams Oakley, Tax Map No. 534-1-15 & 16 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$20,495.00 and the owner has agreed to settle for the price of \$22,590.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$22,590.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 441-6003-05.6012 Activity #01057.

(Signed) Donald R. Vaughan

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60-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF INTERNATIONAL PAPER, XPEDEX FOR THE SPRING GARDEN STREET SIDEWALK IMPROVEMENTS PROJECT

WHEREAS, in connection with the Spring Garden Street sidewalk improvements project, the property owned by International Paper, Xpedex, Tax Map Nos. 376-2-16 and 376-2-63 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$18,200.00 and the owner has agreed to settle for the price of \$18,350.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$18,350.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 402-4531-01.6012 Activity #03216.

(Signed) Donald R. Vaughan

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61-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF KELLY CARPENTER FOR THE SIXTEENTH STREET BRIDGE REPLACEMENT AND SIDEWALK IMPROVEMENTS PROJECT

WHEREAS, in connection with the Sixteenth Street bridge replacement and sidewalk improvements project, the property owned by Kelly Carpenter, Tax Map No. 252-144-1 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$15,450.00 and the owner has agreed to settle for the price of \$21,650.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$21,650.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 220-6051-01.6012 Activity #01020.

(Signed) Donald R. Vaughan

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Motion to approve report of budget adjustments for February 1-28, 2005 was unanimously adopted. (A copy of the report is filed in Exhibit # P, Drawer #1, and is hereby referred to and made a part of the minutes.)

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Motion to approve minutes of regular meeting of March 1, 2005 was unanimously adopted.

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Mayor Holliday introduced a resolution authorizing City Attorney to institute proceedings to condemn portion of the property of Silverbrook, Inc. in connection with the Wendover Avenue intersection and sidewalk improvements project, removed from the Consent Agenda earlier in the meeting.

Wayne Edge, representative of Silverbrook, Inc. and owner of the property at 4411 West Wendover Avenue discussed information that pertained to the proposed condemnation. Following Mr. Edge's objection to environmental issues that he stated were not resolved to his satisfaction in purchase offer negotiations, he requested Council to deny the proposed resolution. Chief Deputy City Attorney Wood stated the Legal Department could likely resolve this concern to proceed with negotiation of the property purchase, Councilmember Phillips moved that the matter be continued to the 19 April, 2005 Council meeting. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

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The Mayor introduced a resolution listing loans and grants for City Council approval and stated this was based on recent Council action directing their final approval of loans and grants exceeding \$10,000. The City Manager stated clarification was needed from Council with respect to implementation of their recent decision to approve resolutions listing loans on the Consent Agenda. Council expressed mixed opinions about the establishment of definitive criteria for listing loan and grant items for Council's approval. During discussion of potential exceptions and explanation of loan application information by Assistant City Manager for Economic Development Ben Brown, it appeared to be the consensus of Council to exempt the targeted loan pool program loans from requiring their approval.

During Council discussion, various opinions were discussed including concern with potential delay of processing loans for East Market Street Development Corporation. After Andy Scott, Housing and Community Development Department Director, requested clarification on whether it was Council's intent to approve contract funds from already approved expenditure funds that fell under the category of routine business, it appeared that a majority of Council agreed that this would not be necessary. The City Manager advised that staff would proceed with listing grants and loans for Council's approval as discussed and on the Consent Agenda. He stated that in the future he would bring a subsequent resolution with clarifying language for Council's consideration if necessary.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: Bellamy-Small.

62-05 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at its March 1st meeting City Council the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 council meeting.

(A copy of the attachments for this item is filed with the above resolution and is hereby referred to and made a part of the minutes.)

(Signed) Sandy Carmany

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Councilmember Johnson moved that Council adjourn to closed session to discuss a legal claim with the City of Greensboro and Peek Traffic and then return to open session. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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Council adjourned to Closed Session at 8:13 p.m.

Council reconvened in open session at 8:43 p.m. with all members present.

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After Mayor Holliday stated that Council would take action on the matter discussed in Closed Session later in the meeting, he introduced a resolution authorizing the request of the General Assembly to adopt a local bill to amend and modify the conditions of probation and parole to require enhanced rehabilitative requirements for parolees and probationers.

Councilmember Vaughan spoke to the recent Council briefing from the Violent Crimes Task Force and explained how this legislation would target violent repeat offenders on parole by requiring their participation in related programs.

Stuart Albright, Guilford County District Attorney, requested Council's support of the proposed legislation and spoke to anticipated benefits.

Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Perkins, Phillips and Vaughan. Noes: None.

63-05 RESOLUTION AUTHORIZING THE REQUEST OF THE GENERAL ASSEMBLY TO ADOPT A LOCAL BILL TO AMEND AND MODIFY THE CONDITIONS OF PROBATION AND PAROLE TO REQUIRE ENHANCED REHABILITATIVE REQUIREMENTS FOR PAROLEES AND PROBATIONERS

WHEREAS, at its February 22, 2005 Council Briefing Session, Councilmember Vaughn requested that a proposed bill to amend conditions of parole be introduced into the Legislature;

WHEREAS, Council approval is necessary to authorize the request of the General Assembly to adopt a local bill to amend and modify the conditions of probation and parole to require enhanced rehabilitative requirements for parolees and probationers, said proposed bill presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the request authorizing the request of the General Assembly to adopt a local bill to amend and modify the conditions of probation and parole to require enhanced rehabilitative requirements for parolees and probationers presented herewith this day is hereby approved.

(Signed) Donald R. Vaughan

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Mayor Holliday introduced a motion approving expenditure of up to \$1500 from Council Contingency Fund to pay for printing and postage for a luncheon recognizing Women in Law Enforcement; he stated this matter was continued from the March 1, 2005 meeting of Council.

After Councilmember Bellamy-Small provided an update on the Committee's recent meeting, the private and governmental agencies interested in participating in the event and the need for the governmental agencies to wait till the next fiscal year to consider funding the luncheon, the City Manager stated that at the past Council briefing had informally approved expenditure of \$300 of City funds for printing expenditures for preliminary work of the Committee.

Councilmember Gatten expressed concern that use of Council Contingency Fund in a future budget year did not match her understanding of use of the budget process. She expressed her preference that this item be withdrawn with the understanding that \$300 of City funds were approved. Councilmember Gatten suggested the request be incorporated in the Manager's budget for next year or be brought back to Council again when the costs were better known.

Councilmember Phillips moved that this matter be continued to the July 19, 2005 Council meeting. The motion was seconded by Councilmember Bellamy-Small and adopted 8-1 by voice vote of Council with Councilmember Gatten opposed.

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Mayor Holliday introduced a motion approving policy regarding the opening segment of the City Council Agenda; he stated this matter was continued from the March 1, 2005 Council meeting. After Councilmember Gatten clarified that Council had jointly agreed to consider this motion during discussion held at the last Council briefing, the Mayor stated the intent of the motion was to require a minimum of five members of Council to approve the addition of non-business items to the agenda.

Councilmember Johnson shared her personal opinions with respect to the value of promoting elements in the City in a positive way, stated she considered this business for the beginning of Council meetings, and expressed strong opposition to the proposed requirement that a majority of Council approval would be required for placing Councilmember's items on the agenda. She stated that, in her opinion, agreement by the body of Council was not necessary and explained her reasons for opposing the proposed policy.

Councilmember Phillips stated he felt Council should call other members of Council to confirm support of a total of five Council members in support of non-business and public hearing agenda item requests prior to directing the Manager to place these items on an agenda.

Councilmember Vaughan stated he believed the policy was appropriate because the majority of Council would support worthy agenda items.

Mayor Holliday stated he supported this measure to ensure Council would be in agreement prior to asking the City Manager to place Council member's items on the agenda.

Councilmember Burroughs-White requested clarification with regard to whether this policy would encompass resolutions honoring people and other matters typically placed at the beginning of agendas. Council appeared to concur that her understanding was correct.

Councilmember Gatten noted that this policy would address concerns of any citizens who had business on the agenda and had to wait for lengthy periods to be heard.

Councilmember Phillips moved adoption of the policy. The motion was seconded by Councilmember Carmany and adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Perkins, Phillips and Vaughan. Noes: Bellamy-Small; Burroughs-White and Johnson.

The City Manager confirmed with Council that in instances when he believed an item should be placed on the agenda that was not a public hearing or business item, he had the option of calling at least five Councilmembers to determine if a majority would support his recommendation.

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performance of the contract, it is hereby moved that the current contract of the City with Peek Traffic, Inc., effective date May 5, 2001, is hereby suspended as of March 17, 2005. It is further agreed that Peek Traffic, Inc., may for the term of the Agreement, leave its equipment in the rights of way of the City provided such equipment is properly maintained. When, and if, resumed the contract shall run for a period of at least six months.

After Council briefly discussed the reasons for this action and noted that it did not cause the city penalties at this time, Chief Deputy Attorney Wood advised that the contract cancellation did not in any way reflect or pertain to the performance of Peek Traffic, Inc.

Councilmember Vaughan stated he supported the motion because in his opinion, the program was in violation of the North Carolina State Constitution.

The Mayor briefly explained the impact of the recent court ruling that in his opinion, necessitated this action. He advised that his support of this action was with reluctance out of legal necessity, and that he felt the program was extremely valuable in terms of increasing safety.

The motion was seconded by Councilmember Vaughan and adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

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N.E. Chopra, residing at 1803 Red Forest Road, spoke to his history of citizenship in Greensboro; he shared personal opinions with respect to evil, hatred, communism, freedom, civil rights, government and related these to his account of events involving the Communist Workers' Party (CWP), Klu Klux Klan (KKK) and Greensboro Police Department in 1979. Mr. Chopra explained his interest in revisiting these events was due to what he felt was an unjust trial following these events and stated he felt a need to revisit this event and determine what should be done.

Alexis Mitchell, residing at 900 East Washington Street at Bennett College Campus, asked members and supporters of the Greensboro Truth and Community Reconciliation Project (GTCRP) who were present in the Chamber to stand for recognition. She presented information with respect to the Project and the GTCRP Commission's foundation, members of the Commission, organizational structure of the Commission and history of the development of the Commission and Project and the intent of the Project. She advised that the Commission's report would be presented later this year and shared her opinion that its findings would then be engaged by the whole community of Greensboro.

Joseph Fryerson, Jr., no address provided, spoke to his role and experience in the Project, the makeup of individuals on the Commission, its processes and mandate, participation of other organizations, administration of funding, and purpose. He stated he commended the truth process for Council's consideration and ultimate endorsement and advised that he had in his possession petitions with over 5000 signatures from citizens in the community. He stated that efforts would continue to obtain more signatures and that he hoped to bring those to Council at a later time to request Council's formal action.

Gregory Headen, residing at 914 Ross Avenue, spoke to his recollection of watching the 1979 shooting on television from another town. He shared personal opinions with respect to his perception of a negative impact of the result of those events on the community when he moved to Greensboro fifteen years later. He expressed his support for the Project and noted other supporters' names. Mr. Headen stated the Commission was not about retribution and stated the events could be used in a way to have restorative justice, understanding, forgiveness and reconciliation. He invited Council to support the Project.

Carolyn Allen, residing at 2611 David Caldwell Drive, stated that in her opinion, this was the right time for a GTCRP in Greensboro. She spoke to the impact of memories of the KKK and Nazi's of 1979. She shared her belief that the Project would remove half truths and bring forth new information and trust to effectively move Greensboro forward. Ms. Allen noted the Project had been underway for three years and offered her personal opinion that evidence indicating the economy was improved was a reflection of public perception relevant to the GTCRP. Ms. Allen noted that the GTCRP possessed no legal subpoena power or authority and offered her opinion that the Commission's validity arose from the personal views of those who believed truth was not discovered in trials that followed the events. After she emphasized that

in her opinion, no retribution was being sought or could be imposed and that the Project's objectives were clarity, truth and to recommend goals; she requested Council's support of this process.

Liz Nemitz, residing at 712 Cannon Road, spoke to her involvement with the GTCRP and with students from area colleges, the goals of the Greensboro Student Action Coalition, and the influence of her involvement in the Project on her plans to make Greensboro her home after completion of her current course of study.

Nelson Johnson, residing at 2115 Murrayhill Road, outlined events of the day involving a community organization with which he was affiliated and the groups and numbers of people he was involved with in community efforts over past years. He shared personal opinions with respect to the nature of the 1979 events, and his perceptions with regard to the court ruling on liabilities for related deaths and lack of a public official taking responsibility. He apologized for using the slogan "Death to the Klan" during the 1979 events and offered reasons he believed the GTCRP would benefit the community.

In response to Councilmember Burroughs-White's request for Mr. Johnson to clarify his personal goals, he advised that only the Commission's mandate guides their work and outlined the goals of his own work.

Zee Holler, residing at 113 South Tremont Drive, provided personal opinions with respect to the positive impact the GTCRP could have on the community and his perception of the need to deal with divisive economic and social issues. He urged Council to support the GTCRP Project and requested Council to put this matter on a future agenda for discussion.

Mazie Butler Ferguson, residing at 1000 Ross Avenue, expressed personal opinions with respect to her perceptions of racism. She shared a fictitious story about contradictions and referenced the Bible to emphasize her position. Ms. Ferguson encouraged Council to support the Project.

Sam Wood, residence not provided, recalled his some of his experiences of watching the 1979 Death to the Klan rally on television and living in Greensboro at that time. He stated that in his opinion, underlying issues were economic as opposed to racial.

Jonathan Santoz, residing at 753 B Chestnut Street, spoke to his involvement in the GTCRP Project through the Greensboro Student Action Coalition. He noted that in his experience as a student, he and many other students had been unaware of the 1979 events, spoke to the impact of learning of these events on himself, stated he had been encouraged by professors to study what occurred in Greensboro, and advised that he supported the truth.

Nettie Coad, residing at 706 Martin Luther King Drive, spoke to her love of Greensboro, her experiences and her personal efforts to address racism, her awareness that many others work to try to make a difference, the impact of the November 3, 1979 event on her, her recent experience at a GTCRP event and the value of truth to her.

Brian Kilpatrick, residing at 1041 South Aycock Street, shared personal opinions with respect image with respect to reconciliation and peace. He voiced his perceptions with regard to race relations, truth, power and justice in Greensboro and the opportunity to make changes in Greensboro.

Bob Foxworth, residing at 918-A Graham Street, spoke to his history in Greensboro and his past perceptions of the cause of the 1979 shootout between the KKK, Nazis and Communists and shared that his impressions with regard to Mr. Johnson's role in the 1979 incident had changed over time. He expressed his belief in truth and encouraged community cooperation.

Jerry McCullough, residing at 2100 B Phillips Avenue, spoke to his personal history from 1979 to present and stated that, in his opinion, Greensboro had an opportunity to set an example for the rest of the world on how to live and build community.

After there appeared to be no one else desiring to speak on this subject, the Mayor asked if the GTCRP wished to present to Council the petitions shown earlier in the meeting.

In response to an unidentified speaker who stated they wanted to be listed on an agenda, the Mayor advised that it was routine for Council to hear groups with presentations under the item on the agenda called “speakers from the floor”.

Councilmember Burroughs-White asked for a recommendation on how to proceed to place the speakers on a future agenda.

The Mayor advised that Council could consider the action requested by the speakers through a motion .

Councilmember Johnson stated that it was her understanding from the speakers that they were here to share tonight and wished for Council to think about and discuss the matter before making any decision.

Councilmember Burroughs-White moved that Council place this matter on the agenda at a future date. The motion was seconded by Councilmember Johnson.

Councilmember Gatten asked what would be received in addition to what had been presented this evening and advised she wished to offer other things on this matter following the discussion just heard. She stated she was under the impression that Council would approve or disapprove a resolution of support for the GTCRP.

Councilmember Johnson reiterated that it was her understanding that only discussion was requested at this time.

The Mayor noted various options Council could pursue to consider voting for their support or non support of the GTCRP Project at this time or in the future.

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The Mayor declared a recess at 10:21 p.m.

The Council reconvened at 10:36 p.m. with all members present.

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Councilmember Burroughs-White restated that she moved that Council place this item on the agenda and added this would be at a meeting approximately 30 days out for Council’s consideration of support of the Project. The motion was seconded by Councilmember Johnson.

Councilmember Gatten stated she was against that motion and did not see a benefit to delaying the matter. She stated she felt sufficient information had been received by Council, advised she had discussed the matter with citizens and others outside of Greensboro, noted she had spoken publicly about the Project since 2003, stated she was prepared to offer her thoughts about the process and to vote on her position with regard to the GTCRP, and urged Council to take action presently to defeat the motion to postpone discussion to a future meeting.

Councilmember Perkins expressed deep concern with respect to his anticipation of negative perception that could stem from media coverage of the efforts to force Council to take action about this Project. He advised that instead of letting the process come to the forefront and prove its own merit, a polarizing negative impact could result; Councilmember Perkins noted that it was his belief that all citizens had the right to participate, that a Council position would be divisive.

Council discussed various aspects of race relations with regard to Council’s history of voting. Councilmember Gatten noted the Council’s on going work and the volume of items that related to the minority community and benefits to the minority community.

The Mayor stated he shared the same concerns as Councilmember Perkins, with regard to the potential for negative perceptions to be generated that could stem from media coverage.

Councilmember Burroughs-White requested that Council use the time up until the April 19th meeting to think, discuss and learn more about this matter.

Council thereupon adopted the motion on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Holliday, Johnson and Vaughan. Noes: Carmany, Gatten, Perkins and Phillips.

The Mayor stated the matter would be placed on the April 19th agenda as a business item and advised that Council would decide as a Body on how requests to speak would be handled. In response to Councilmember Bellamy-Small, the Mayor confirmed that speakers could be heard in advance by coming as speakers from the floor at the next meeting.

Council briefly discussed potential procedure on how this item would be heard if speakers came and if the matter was placed on an agenda. Councilmember Phillips suggested the matter was not a public hearing and should be placed on the agenda as a business item.

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Councilmembers briefly discussed that the sidewalk policy would be reviewed in an upcoming evaluation of the Development Ordinance.

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Councilmember Perkins added the name of Sandra Anderson in the Boards and Commissions data bank for consideration for future service on the board of adjustment.

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After Councilmember Perkins distributed information regarding an economic incentive case in Roanoke, Virginia, and a map detailing the west side of downtown Greensboro, he advised that there would be residents concerned about the new development planned for the Bellemeade area in the vicinity of Edgeworth and Prescott Streets. He requested that Planning staff initiate a neighborhood study on the area outlined on the map to gain neighborhood input and avoid a piece-meal zoning effect.

The City Manager stated that Planning and Housing and Community Development staff would develop the scope for a neighborhood study of areas surrounding downtown for Council to review.

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Councilmember Gatten voiced her disconcertion and shared her personal opinion that the perspective presented earlier in the meeting by speakers involved with the Truth and Reconciliation Commission was a limited perspective of a major community issue. She stated she would delay her commentary until the time designated by Council.

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Members of Council expressed congratulations to Assistant Police Chief Annie Stevenson for her award as the Woman of Achievement in Government at the Commission on the Status of Women's Annual Women of Achievement Awards luncheon.

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Councilmember Bellamy-Small moved that Olga Wright be appointed to serve a term on the Guilford County Parks and Recreation Commission; this term will expire 12-31-07. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

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Councilmember Vaughan moved that Ken Free be appointed to serve a term on the Bryan Park Golf Commission; this term will expire 2-1-08. The motion was seconded by Councilmember Carmany and adopted by a voice vote of 8-1 with Councilmember Gatten opposed.

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The Mayor added to the boards and commissions data bank the names of Marie Rodgers for consideration for future service on the Parks and Recreation Commission and Emily Morgan for consideration for future service on the Tourism Development Authority.

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Mayor Holliday stated that in response to City Manager Kitchen's announcement to retire, Council would act as a Body to hire the next City Manager. He provided a brief outline of the procedure to be followed by Council.

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The City Manager stated that he had provided a tentative agenda to Council for the upcoming Council briefing; he requested Council members to contact him in the next two days if they had requests for additional items.

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Council discussed recent and future community events of interest.

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Councilmember Vaughan moved to adjourn the meeting to closed session for the purpose of considering an economic development incentive and to receive advice from its attorney with reference to MCI versus Greensboro and Hazen and Sawyer. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

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The meeting was adjourned to Closed session at 11:19 p.m.

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Susan E. Crotts
Deputy City Clerk

Keith A. Holliday
Mayor
